



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TEXAS 75202-2733

August 27, 2010

CERTIFIED MAIL - RETURN RECEIPT REQUESTED: 7005 1820 0003 7457 8003

Mr. Kenneth Hunter
Enbridge Pipelines (East Texas) L.P.
Trinidad Plant Supervisor
720 Lone Star Road
Trinidad, TX 75163

Re: Administrative Compliance Order Docket Number: CAA-06-2010-3313
Facility Registry System Number: 110008165939


Dear Mr. Hunter:

Enclosed is an Administrative Compliance Order (Order) issued to Enbridge Pipelines (East Texas) L.P., for violation of the Clean Air Act (42 U.S.C. § 7412(r)(1)). The violation was identified based on our August 26, 2010, inspection of your Trinidad Plant facility located in Trinidad, Henderson County, Texas, and designated as Facility Registry System Number 110008165939. The general duty clause violation found consists of an unpermitted release of an extremely hazardous substance; specifically, methane.

Effective upon receipt of this Order, you shall immediately fix, repair or replace the leaking components as noted in the enclosed Order, and comply with the provisions of this Order. The Environmental Protection Agency is committed to ensuring compliance with the requirements of the Clean Air Act, and my staff will assist you in any way possible.

If you have any questions, please contact Tony Robledo, of my staff, at (214) 665-8182.

Sincerely,


John Blevins
Director
Compliance Assurance and
Enforcement Division

Enclosure

cc: Michael de la Cruz
Manager, Air Enforcement Section
Texas Commission on Environmental Quality

U.S. ENVIRONMENTAL PROTECTION AGENCY-REGION 6
ADMINISTRATIVE COMPLIANCE ORDER
In the Matter of Enbridge Pipelines (East Texas) L.P., Respondent
Docket No. CAA-06-2010-3313

STATUTORY AUTHORITY

The following findings are made and Administrative Compliance Order (Order) issued under the authority vested in the Administrator of the United States Environmental Protection Agency (EPA), by Section 113(a)(3) of the Clean Air Act (Act), 42 U.S.C. § 7413(a)(3). The Administrator has delegated the authority to issue this Order to the Regional Administrator of EPA Region 6 who has further delegated such authority to the Director of the Compliance Assurance and Enforcement Division.

FINDINGS

1. Respondent, Enbridge Pipelines (East Texas) L.P., is a "person" as defined by Section 302(e) of the Act, 42 U.S.C. § 7602(e).
2. At all times relevant to the violation alleged herein, Respondent operated a natural gas processing facility (Trinidad Plant) located in Trinidad, Henderson County, Texas (the "Facility").
3. The Facility is a "stationary source" as defined by Section 112(r)(2)(C) of the Act, 42 U.S.C. 7412(r)(2)(C).
4. On August 26, 2010, EPA inspectors observed an unpermitted release of pollutants from a union joint at the expander unit and a fuel regulator at Waukesha engine unit no. 4231 utilizing the FLIR® Gas Finder Infrared Camera.
5. Based on information in the Federal Operating Permit, the Facility Gas Analysis, and utilizing the FLIR® Gas Finder Infrared Camera, the EPA inspectors determined that the unpermitted release of pollutants described in paragraph (four) 4 contained methane.
6. Methane is described as highly flammable/explosive in the Material Safety Data Sheet as provided by the Facility.
7. An extremely hazardous substance under Section 112(r) of the Act, 42 U.S.C. § 7412(r) includes, but is not limited to, methane. The union joint and the fuel regulator are not an appropriate source for fugitive emissions and are potentially subject to explosive levels of methane.
8. Section 112(r)(1) of the Act, 42 U.S.C. § 7412(r)(1), requires owners and operators to design and maintain a safe facility, taking such steps as are necessary to prevent releases of extremely hazardous substances.
9. On August 26, 2010, Respondent released an unpermitted emission containing methane into the ambient air from a stationary source in violation of Section 112(r)(1) of the Clean Air Act (Act), 42 U.S.C. § 7412(r)(1).

ORDER

Based on these findings and pursuant to the authority of Section 113(a)(3) of the Act, 42 U.S.C. § 7413(a)(3), EPA orders that Respondent take the following actions upon receipt of this Order:

1. Fix, repair, or replace the leaking components that led to the unpermitted release of an extremely hazardous substance as described in paragraph (four) 4, upon receipt of this Order.
2. Within fifteen (15) days of the effective date of this Order, Respondent shall provide written certification to the EPA, Region 6, that the activities required in the previous paragraph have been completed and shall include any supporting documents such as receipts and invoices. The written certification and supporting documentation shall be addressed to John Blevins, U.S. EPA Region 6, Director, Compliance Assurance and Enforcement Division, 1445 Ross Ave., Dallas, TX 75202. Respondent shall sign and certify under penalty of law that the certification and supporting documentation are true, accurate, and not misleading.

GENERAL PROVISIONS

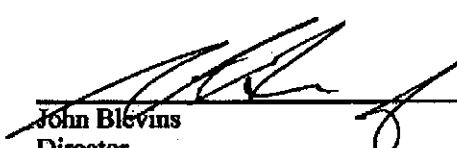
Issuance of this Order shall not be deemed an election by EPA to waive any administrative, judicial, civil or criminal action to seek penalties, fines or other relief under the Act for the violation alleged herein or other violations which may become known to EPA. EPA reserves the right to seek any remedy available under the law which it deems appropriate.

Failure to comply with this Order or the Act may result in the initiation of an administrative penalty action by EPA or a civil judicial penalty action by the U.S. Department of Justice.

Compliance with this Order does not relieve Respondent of its obligation to comply with all applicable federal, state and local laws.

AUG 27 2010

Date



John Blevins
Director
Compliance Assurance and
Enforcement Division